

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

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| DARRELL J. HARPER, #1105338 | § | |
| VS. | § | CIVIL ACTION NO. 6:14cv739 |
| STATE OF TEXAS | § | |

ORDER OF DISMISSAL

Plaintiff Darrell J. Harper, an inmate confined in the Travis County Correctional Complex, proceeding *pro se*, filed the above-styled and numbered civil rights lawsuit. The complaint was directly assigned to United States Magistrate Judge John D. Love, who issued a Report and Recommendation concluding that the civil rights lawsuit should be dismissed pursuant to sanctions imposed by the Fifth Circuit. The Plaintiff has filed objections.

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by Plaintiff, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections by Plaintiff are without merit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

ORDERED that the cause of action is **DISMISSED** without prejudice as barred by the sanctions imposed by the Fifth Circuit Court of Appeals. It is further

ORDERED that all motions not previously ruled on are **DENIED**.

The Court finally observes that Harper is confined in Travis County. He has repeatedly filed lawsuits in the Eastern District of Texas concerning matters that occurred in Travis County, which is located in the Western District of Texas. Harper is placed on notice that additional sanctions may be imposed against him if he persists in filing new lawsuits in the Eastern District of Texas that concern matters that occurred in Travis County.

So ORDERED and SIGNED this 26th day of September, 2014.

A handwritten signature in black ink, appearing to read 'Leonard Davis', is written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE